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1 A. [CANNY] If a CLEC comes in that is not
2 forecasted versus a CLEC comes in -- The forecast
3 enables us to build a facility in that location. If
4 a CLEC comes in that does not have a forecast to
5 that location, they get a 45-day due date, not 18
6 day. That's a significant difference. If a CLEC
7 comes in and was forecasted, regardless of whether
8 someone else comes in ahead of them, they get the
9 18-day due date. I think that's an important
10 difference.

11 So it's not a reservation of facilities.
12 We honor the 18-day commitment if it's a valid
13 forecast.

14 Q. But it's not a reservation of facilities.

15 A. [CANNY] No.

16 A. [ALBERT] It means once you give that
17 forecast, we're on the hook to meet that 18-day
18 interval, and there's no way out.

19 Q. And if you -- let's say that a CLEC -- let's
20 say you misestimated the amount of aggregate demand
21 and the source of that misestimation could be a
22 wrong forecast from a CLEC or it could be a wrong
23 forecast from the component that's Bell Atlantic's.
24 Even though a CLEC may have submitted the perfect

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1 somehow there is information that is used, I would
2 assume, in Bell Atlantic's operations to decide
3 whether a trunk was provisioned timely or not, and
4 I'm asking you to explain how that's done.

5 A. [CANNY] The work force administration
6 system, WFA, which manages all of our work, tracks
7 the due date and whether it was completed on time
8 or, if it was missed, why it was missed. And that's
9 the source of information for our trunk provisioning
10 data.

11 Q. Physically, does somebody sit down with the
12 WFA logs, look at them, read them, and decide, "Yes,
13 this is on time, or no, this is not on time"?

14 A. [CANNY] It's not a sit-down decision like
15 reading the hot-cut performance measures. This is
16 actual scoring that, once it's placed in the system,
17 we count it as yes or no.

18 Q. How is it recorded in the system and how are
19 the counts done? Is that all computerized?

20 A. [CANNY] Yes.

21 Q. So you just record the date that the trunk
22 order's closed out, and if it's greater than the due
23 date, that's a miss, and if it's less than or equal
24 to the due date, that's a hit?

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1 forecast, if you've run out of facilities at that
2 time, that CLEC's out of luck -- right? -- until
3 you're able to --

4 A. [ALBERT] In the theoretical case you
5 described there, that would be correct. We would
6 take that as a miss.

7 I guess that's what I was getting at.
8 The forecast locks us on the hook. The forecast for
9 a Category 1 order, we're locked on the hook for
10 that 18-day interval. There's no way out of it. If
11 we've got the capacity there, we meet it; and if in
12 the theoretical case you described it isn't there,
13 then we take a miss on it.

14 Q. Now, once the interval -- the category
15 decision is made and the interval is established,
16 how does Bell Atlantic record the information as to
17 whether it is provisioned on time? Where does that
18 recording take place? Can you kind of take us
19 through the chain of custody to the point where it
20 gets into the performance standards?

21 A. [ALBERT] Are you asking really about the
22 different systems where things are logged and
23 captured?

24 Q. Well, I'm asking as to how -- I mean,

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1 A. [CANNY] If there's a miss, there's actually
2 a missed-appointment code that's placed on the
3 order. WFA is the system that feeds our report
4 generation system, that gets information from the
5 ordering system and the work force administration
6 system. It knows what the due date was. If it's a
7 miss, it's looking for a missed-appointment code.

8 Q. And it's the system that assigns the missed-
9 appointment code?

10 A. [CANNY] No, a human being that's scoring
11 the order as a miss has to assign the missed-
12 appointment code --

13 COMMISSIONER VASINGTON: You're tailing
14 off a little in your sentence.

15 A. [CANNY] When the order is completed, the
16 person that is completing the order has to assign a
17 missed-appointment code, if it's a missed
18 appointment.

19 Q. It is actually the person who is involved in
20 completing the order that's scoring that code?

21 A. [CANNY] I'm not sure if -- I don't believe
22 it's the technician. I believe it's the person in
23 the center that's tracking the orders. I'd have to
24 check on that.

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1 A. [ALBERT] It's the center.
2 MR. GRUBER: Could I have just a moment,
3 please?
4 (Pause.)
5 Q. Is it ever the case that Bell Atlantic would
6 record a customer not ready in a situation where
7 Bell Atlantic is ordering the trunks into the CLEC's
8 switch? Does that happen?
9 A. [ALBERT] Yes.
10 Q. Can you explain what the events are that
11 lead Bell Atlantic to do that?
12 A. [ALBERT] I can give you some examples.
13 Q. That's good.
14 A. [ALBERT] I would think one axiom with trunk
15 orders is, every order is a story unto itself. You
16 get many, many, many possible different variations
17 that can occur.
18 But on the date due, Bell Atlantic will
19 call the CLEC, for when we've got our portion of the
20 order ready to go. If the CLEC has had a problem on
21 their end -- the easiest example is, if they don't
22 have switch-hook terminations available. If the
23 CLEC does not have equipment available, then there's
24 not any means to physically connect our portion of

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1 the trunk to the CLEC's portion of the trunk, and
2 when the CLEC is short on facilities, in that case
3 we would call that a customer-not-ready order. The
4 Verizon technician in the WFA log would make a
5 notation that it was customer not ready, and the
6 practice calls for the individual also including the
7 name of the contact that they have talked to on the
8 CLEC's side. I mean, there are a lot of other
9 examples of customer-not-readys, but....
10 Q. No, that's helpful. And this is a situation
11 in which Bell Atlantic is placing the order to the
12 CLEC. So I'm trying to reconcile that with the
13 definition of "customer." In the past we were
14 talking -- when CLECs were placing orders with Bell
15 Atlantic, the CLEC was the customer. Now, when Bell
16 Atlantic is placing orders with the CLEC, is it the
17 CLEC that's still the customer?
18 A. [ALBERT] In the jargon that we're using for
19 the terminology of customer not ready, the term
20 "customer" still applies to the CLEC.
21 A. [CANNY] This is not a case where Verizon is
22 not -- even though we are ordering the order from
23 the CLEC, a customer not ready would in fact be a
24 CLEC not ready, consistent with any of our other

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1 measures.
2 Q. And in the situation in which Bell Atlantic
3 is not ready, how is that treated?
4 A. [CANNY] That would be treated as a Bell
5 Atlantic missed appointment.
6 Q. And what happens if Bell Atlantic supps. the
7 order? Is it counted as a Bell Atlantic missed
8 appointment?
9 A. [CANNY] If it's supp.ed because Bell
10 Atlantic is not available, yes. Anytime a due date
11 is changed, it's a Bell Atlantic missed appointment.
12 Q. And who makes that decision?
13 A. [CANNY] On a reciprocal or --
14 Q. Yes.
15 A. [ALBERT] When you say "that decision,"
16 which?
17 Q. What I heard was that if a supp. is due to
18 Bell Atlantic it's counted as a missed appointment
19 to Bell Atlantic. I was wondering, who makes the
20 decision on the "if," and how is that made? How is
21 the decision made as to whether it's a Bell Atlantic
22 reason it was supp.ed or some other reason it was
23 supp.ed?
24 (Pause.)

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1 A. [CANNY] I will clarify my answer. If on a
2 nonreciprocal trunk, if we could not meet the due
3 date and requested a supp., we would count that as a
4 Bell Atlantic miss. However, on a reciprocal trunk,
5 if we are requesting a new due date change, we do
6 not count that as a Verizon miss -- not until the
7 order is completed. Because it's our request and
8 we're changing our requested due date, and we don't
9 count it as a CLEC miss, either. We count the
10 performance when the new due date comes on a
11 reciprocal trunk.
12 Q. Which category are we talking about here?
13 A. [CANNY] For reciprocal trunks, any
14 category. If Verizon is changing a due date on a
15 Verizon request -- just as if, if you requested a
16 new due date, we would measure the performance on
17 the due date itself. It doesn't count as a make or
18 a miss until the actual due date.
19 Q. At what point in the process does Bell
20 Atlantic notify the CLEC that it is treating an
21 order the CLEC submitted as a nonforecasted order
22 and the CLEC is entitled only to the intervals for
23 nonforecasted orders?
24 A. [ALBERT] At what point in the process?

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1 Q. Yes.

2 A. [ALBERT] I guess the way that you would
3 tell would be from the firm due date that we provide
4 on the firm order confirmation. That would be the
5 first indication -- if we on our firm order
6 confirmation have 18 business days, you know it was
7 a Category 1. If we're managing it and working it
8 together as part of a project, you would know it was
9 a Category 3. If it came back with something
10 greater than 18, you would know that our view of it
11 would have been nonforecasted but facilities
12 available.

13 MS. CARPINO: Have you had CLECs dispute
14 that characterization, and how frequently does that
15 happen if yes, that it's unforecasted?

16 WITNESS ALBERT: None that I'm aware of.

17 MS. CARPINO: Thank you.

18 WITNESS ALBERT: We do get CLECs that
19 ask us to do orders faster. I guess you could say
20 that that's an indication that they'd like something
21 different, and when they ask, we'll attempt to see
22 if we can meet it.

23 MS. CARPINO: But they won't say.
24 "Actually, we're of the view that we did forecast

1 A. [ALBERT] It really would depend on the
2 nature of the change that the CLEC is making and how
3 extensive that change is. There are a variety of
4 different changes that could be requested. On the
5 most simplistic end, it would just be a record
6 purpose, and it really wouldn't affect the order.
7 In the most extreme, there might be a change of an
8 assignment or a change of physical facility, and in
9 that case for that type of a supplement you would
10 begin a new 18-day provisioning clock ticking.

11 Q. The question is how is it coded.

12 A. [CANNY] It's not coded as a miss.
13 According to the guidelines, if we have a supp. that
14 starts the date over again for that order, it's the
15 date of the supp. And in those circumstances you
16 may -- we may still keep that 18-day -- we may have
17 three days added, but that would be the new start
18 date. So it's not counted as a missed appointment;
19 it may be even a shorter interval or it may be the
20 full 18 days. It's in the guidelines under order
21 confirmation timeliness, OR 1.

22 Q. And is there also a code for customer not
23 ready placed on that order as well?

24 A. [CANNY] Not if it's a supp. before the due

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1 this and that we should receive the 18-day
2 interval"? That doesn't happen?

3 WITNESS ALBERT: Not that I've
4 encountered. We'll get the request, "Can you guys
5 do it faster," and we'll try and work through it and
6 see if we can.

7 Q. When is the determination that it's one of
8 these new Category 6, non-service-affecting orders
9 made?

10 A. [ALBERT] That was really a matter of
11 display and reporting. What we were attempting to
12 do is to take the subset of project orders, the
13 subset of Category 3 orders, and strictly for the
14 purpose of reporting and grouping and displaying the
15 numbers, to break it out in that fashion. But in
16 terms of how it's managed, in terms of how it's
17 handled, it's still a Category 3.

18 Q. One last question on the process. Let's
19 assume that we've got a standard Category 1 order,
20 and on the day that the order is due to be completed
21 the CLEC early in the morning calls to request a
22 supp. to that order. How is that order coded? Is
23 it coded as a customer not ready, as a supp., or
24 both?

1 date.

2 Q. And I take it that you would code it as
3 customer not ready if you never got the supp. and
4 you called the CLEC to turn up the trunk and you
5 couldn't reach anybody. Would that be coded as a
6 customer not ready?

7 A. [ALBERT] Yes.

8 Q. How do you try to reach the CLEC in that
9 scenario?

10 A. [ALBERT] The contact information on the
11 order.

12 Q. And what happens if the -- I take it you
13 would leave a voicemail message or something if you
14 didn't get anybody?

15 A. [ALBERT] Or try and call them back until we
16 talked to a person.

17 Q. And what happens if you play telephone tag a
18 couple of times and you never made contact that day?

19 A. [ALBERT] I don't know.

20 Q. How would that be scored?

21 A. [ALBERT] If we're just telephone-tagging
22 and nobody ever -- I don't know.

23 A. [CANNY] We don't count it until we have
24 verbal acceptance of the trunk, so that would be a

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1 customer not ready because we couldn't reach them.
2 MR. GRUBER: Thank you. That's all the
3 questions I have at this time.

4 MS. CARPINO: Thank you, Mr. Gruber.
5 Are there any other questions? Ms. Kinard?

6 CROSS-EXAMINATION

7 BY MS. KINARD:

8 Q. My name is Karen Kinard, with WorldCom. I
9 wanted to clarify first: The 290,000 trunks, that's
10 just Massachusetts?

11 A. [ALBERT] That's correct.

12 Q. And you talk about the capacity on the
13 trunks. Is that an average for all the trunks, the
14 utilization rate?

15 A. [ALBERT] The 38 percent?

16 Q. Yes.

17 A. [ALBERT] That was the average utilization
18 for all of the CLECs in Massachusetts. Each
19 individual CLEC would have a utilization different
20 from that average.

21 Q. And not all trunks would have 38 percent.

22 A. [ALBERT] That's correct.

23 Q. Their average daily.

24 And don't a lot of times to mirror your

1 them.

2 Q. And CLECs are putting in a lot of new
3 switches with a lot of new trunking that will start
4 off with no utilization for a while. It's like
5 building a housing development and you sell the
6 homes.

7 A. [ALBERT] That was true in the beginning.
8 But we've been tracking the utilizations for about a
9 year and a half, because you would think, "Okay,
10 maybe the first month it's low and they grow up to
11 it." But what's been happening is, CLECs have been
12 adding a lot of customers, but we've also been
13 adding a craft load of trunks, and the utilizations
14 have been coming down, particularly about the last
15 nine months or so.

16 Q. They're coming down the last nine months?

17 A. [ALBERT] Yes. Which is a little weird, but
18 it's a function of the volumes of trunks that we're
19 adding.

20 Q. Because I know we're still adding switches
21 and --

22 A. [ALBERT] Yes.

23 Q. We're adding one in Springfield and getting
24 trunks that aren't utilized. We do plan ahead,

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1 calling area we have to trunk to certain exchanges
2 which may never fill up, just to have incoming calls
3 come in from those areas?

4 A. [ALBERT] You have to meet us at our access
5 tandems in order to receive calls from Verizon
6 customers that are in switches of ours that home off
7 of those access tandems.

8 Q. And for redundancy, we have to have direct
9 end-office trunking?

10 A. [ALBERT] No, that's your decision.

11 Q. But, I mean, so we have two routes to the
12 customer? We often do a route to the tandem and --

13 A. [ALBERT] It's a small move. A lot of CLECs
14 do that, and we do that ourselves.

15 Q. And when you have redundancy, it's better
16 for the customer, but you do have underutilization?

17 A. [ALBERT] I would not link those two things
18 at all hand in hand. You can still match your loads
19 and have a higher utilization using a combination of
20 both direct end-office trunking and tandem trunking
21 as you would if you just had tandem trunking. The
22 redundancy and the utilizations, that's really a
23 function of how big do you engineer your trunk
24 groups and how do you decide that you want to route

1 because we don't want to see blocking; we want the
2 trunk in place. CLECs have, wouldn't you say, a
3 pretty dynamic network growth? We can go from low
4 blocking to high blocking on the line -- or high
5 levels of utilization, rather, not blocking -- with
6 the addition of one customer, particularly one that
7 might have a lot of inbound calling, like a call
8 center or an ISP?

9 A. [ALBERT] Yeah, if you had an ISP that had a
10 tremendous amount of inbound calling, you would see
11 a noticeable jump in your utilization as a result of
12 that.

13 Q. So when we ask for the reciprocal trunks a
14 lot of times, we, MCI, sends the notice, whether
15 it's a TGSR or fax or e-mail, when we're going to
16 add a customer that we know will send the
17 utilization rate up to a high level by adding just
18 that one customer.

19 MS. CARPINO: What's the question?

20 MS. KINARD: I'm talking about sending
21 the TGSR -- I'm responding to his note about our
22 items we brought up, where we asked for trunks in
23 like April and May and July and they told us -- they
24 didn't even give us a due date, but they said in

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1 October they may be able to comply with them.

2 Q. So I'm saying don't we send those requests
3 well ahead of time because we know the long lead
4 time and we know the customer is large enough that
5 even though the utilization levels are low they
6 could go up pretty rapidly?

7 MR. BEAUSEJOUR: Excuse me, Ms. Carpino.
8 I don't understand what the question is.

9 MS. CARPINO: I'm afraid I don't,
10 either.

11 MS. KINARD: I'll save that until I
12 respond to his testimony.

13 Q. Now, in the situation for the customer-
14 not-readys that AT&T was asking about, I was looking
15 at the July data, and for retail there are 37.42
16 percent customer not ready and 24.28 percent CLECs
17 not ready for trunks. And the retail is actually
18 the access trunks that CLECs buy from you; right?

19 A. [CANNY] Feature Group D trunks, CLECs and
20 basically IXC carriers, which aren't all CLECs,
21 although most of them are.

22 MR. ROWE: Ms. Kinard, what's the
23 reference point? I'm sorry.

24 MS. KINARD: This is the July carrier-

1 definition in the carrier guidelines.

2 Q. And for the intervals as well, even though
3 there's a standard interval for trunks of 18 days
4 forecasted below 192 trunks -- and I guess even
5 above it they are forecasted -- there's 18 days, the
6 comparison for the metrics is to the Feature Group D
7 trunks again, not to whether that interval was met.

8 A. [CANNY] Yes. That is in the guidelines.
9 That is the definition in the guidelines. Eighteen
10 days is Category 1 only, less than 192 forecasted
11 augments.

12 Q. For the MCI situations, where I believe you
13 said you had to build SONET rings to carry the
14 traffic, was that not something you expected from
15 our forecasts? I believe we do forecast.

16 A. [ALBERT] I don't know. I don't know for
17 those specific projects. I know that's what we've
18 got to do to provision them.

19 MS. KINARD: I think that's all I have.

20 CROSS-EXAMINATION

21 BY MR. McDONALD:

22 Q. You gave the dates for when the specific
23 orders came in for the WorldCom orders in your
24 opening statement; is that right?

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1 to-carrier data for Massachusetts that was just sent
2 out.

3 MS. CARPINO: TR-4-03.

4 MR. ROWE: Let's just give Ms. Canny a
5 chance to get a copy of that before her.

6 MS. CARPINO: It's on 13 and 14.

7 A. [CANNY] I see the number.

8 Q. Would you say that's unusually high, or is
9 that generally what you've been seeing the customer-
10 not-ready situations run in these reports?

11 MS. CARPINO: Ms. Kinard, do you mean
12 both Verizon and CLEC aggregate or one or the other?

13 MS. KINARD: For both.

14 A. [CANNY] Based on the April, May, and June
15 data I also have, no, that's not unusual. In fact,
16 it flip-flops. Sometimes it's higher on the IXC
17 side, and sometimes it's higher on the CLEC side.

18 Q. And again, what's called the Verizon data is
19 really service provided to IXCs like AT&T and
20 WorldCom and other interexchange carriers compared
21 to what CLECs like AT&T and MCI and WorldCom get.

22 A. [CANNY] That's correct.

23 Q. So they're both customers.

24 A. [CANNY] And that's consistent with the

1 A. [ALBERT] Yes, for when we had good, clean,
2 finalized TGSRs. In some of them -- and it
3 varies -- there's a period of time when we're
4 working back and forth with each other to get to
5 that point.

6 Q. Do you know when forecasts were submitted?

7 A. [ALBERT] Not for those specific projects,
8 no. I mean, MCI does forecasts, and we do receive,
9 you know, forecasts from you according to the
10 practices that have been set up.

11 Q. So as far as you know, for these particular
12 orders, they were forecasted.

13 A. [ALBERT] No, I'm saying for those
14 particular orders I don't know. I do know that MCI
15 WorldCom does forecast.

16 A. [CANNY] They would have been -- the
17 forecasts would have been due on August 1st, last
18 year, to be six months in advance. We do twice-
19 a-year forecasts, February 1 and August 1st.

20 MS. KINARD: I'm sorry; these were
21 reciprocal trunks, or these were --

22 WITNESS ALBERT: All four of those
23 projects are for reciprocal trunks.

24 MS. KINARD: So wouldn't you have done

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1 the forecasts based on our outbound forecast?
2 WITNESS ALBERT: No, the forecasting
3 guidelines that grew out of New York, out of the New
4 York collaborative, that we also follow throughout
5 the rest of the footprint, the CLEC will forecast
6 the trunk groups in both directions. They'll
7 forecast reciprocals as well as they'll forecast the
8 trunks that carry traffic from the CLEC to Verizon.

9 MS. KINARD: Is that the same in your
10 whole region?

11 WITNESS ALBERT: Yes.

12 MS. KINARD: Because I thought I heard
13 something different somewhere else.

14 Q. In any event, with respect to those four
15 orders, there were intervals that were set up for
16 when they were supposed to be provisioned; is that
17 right?

18 A. [ALBERT] I don't know. Those aren't --
19 they aren't four orders. Those are four projects,
20 and each project will have a collection of
21 individual orders associated with it. At what stage
22 of creating the spreadsheets and establishing due
23 dates and managing those four projects we are, I'm
24 not familiar with that level of detail. They all

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1 there today and there's one call a week going across
2 it. Are you sure?" You know, there's really an
3 iterative process there to work together to examine
4 what the current service is, what the expected
5 demands and needs are that the CLEC would have, and
6 to work towards something that would be reasonable.

7 I mean, when we're talking about
8 reciprocal trunks, these are the trunks that Bell
9 Atlantic is responsible for. We're on the hook and
10 are measured for the blocking. We're responsible
11 that there are enough trunks there to carry the
12 load; that's what we get measured on. But it is a
13 two-way street. You know, you have to have the
14 ongoing interactions with the CLEC. When you have
15 an unusual potential demand, the TGSRR process was
16 developed for the CLEC to be able to communicate
17 something of that nature to Bell Atlantic so that we
18 could continue to jointly work with, if additions
19 are needed to the trunk groups and, if so, how big.

20 Q. But for purposes of seeing how this time
21 would be picked up that we're waiting for these
22 inbound trunks -- say we did and we may not have
23 e-mailed this request, we may have faxed it, which
24 is not according to the metric and something we're

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1 require for the transport, they all require that
2 SONENT capacity to be built so that the trunks can
3 ride across them.

4 CROSS-EXAMINATION
5 BY MS. KINARD:

6 Q. On that, that's the time we're waiting from
7 when we made that request. That's not picked up in
8 any metric now until you send the ASR for that
9 trunk, which may not be until October for those
10 projects?

11 A. [ALBERT] You're saying a couple of things.
12 I think maybe part of it gets into the metrics
13 piece. There is a new measure -- I think it's OR
14 1-19 -- that deals with the length of time from a
15 TGSRR, trunk group service request, until when a
16 response is provided to that.

17 Q. That's if we e-mail a TGSRR, we're to receive
18 a response in ten days, and that response could be a
19 no or it could be a query, not necessarily you
20 sending the ASR.

21 A. [ALBERT] That's right, because it could be
22 a matter of you say, "Hey, Verizon, I think you need
23 to add X number of trunks to your trunk group," and
24 we would call back and say, "There's 1,000 trunks

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1 arguing about in other jurisdictions. But we may
2 have sent it another way. But say if we have sent
3 it the way you'll measure it, we'll e-mail it, the
4 TGSRR, in this case would the answer have been in ten
5 days a no, because you don't have facilities?

6 A. [ALBERT] I'm really not following your
7 question.

8 Q. The metric is e-mail the TGSRR, get a
9 response in ten days, the response is either an ASR
10 being sent or, "No, we don't think you need those
11 facilities" or a query. So in what category would
12 that situation fall? Where would that be picked up
13 in the measurement?

14 A. [CANNY] These aren't e-mailed? They're not
15 measured?

16 Q. I'm just saying, if this wasn't e-mailed,
17 the response we got back -- I'm assuming they were
18 faxed. I don't even know, because we mostly fax in
19 an order.

20 A. [CANNY] I don't understand the question.

21 Q. Say we had e-mailed the request, started the
22 clock with the TGSRR, rather than faxed it or
23 whatever way we send it. In ten days a response
24 like this, that we had to wait until October

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1 facilities, would that have been a no? That
2 wouldn't have been sending us an ASR. I mean, what
3 would be measured for that kind of response?

4 A. [CANNY] I don't know. I really don't know
5 what would go on that, Karen.

6 Q. So this time may or may not be measured to
7 the point you told us something about either sending
8 us an ASR with a due date after October or saying,
9 "No, you can't have the trunks because of
10 facilities"?

11 A. [CANNY] Let me back up a bit. If it's
12 greater than 192 or a project, such as this, the
13 standard for the response for an inbound trunk is a
14 negotiated trunk, so it's not the ten days. The ten
15 days applies to an augment of less than 192 that's
16 forecasted, just like the other order confirmation
17 measures do. So you could get a response later, but
18 it would just be reported as nonstandard.

19 MS. CARPINO: Which metric is this,
20 again?

21 WITNESS CANNY: This is the OR 1-19. We
22 are separated between less than 192 and then greater
23 than 192. And that's defined orders for inbound
24 augment trunks in excess of 192 trunks or that

1 didn't meet the negotiated criteria, the response
2 that you needed facilities would fall into what
3 timetable? Or would there be....

4 A. [ALBERT] I'm kind of getting lost in your
5 hypothetical in terms of --

6 Q. Maybe if I can make this simpler. This will
7 not start to be measured in any way, shape, or form
8 until you send an ASR, and that will get picked up
9 in the missed appointments, where you say reciprocal
10 trunks are included. And by the time you send the
11 ASR, we will have a negotiated due date, hopefully,
12 that's on the ASR. Sometimes we've negotiated due
13 dates and the ASR has been sent after the due date.
14 But the measurement, no measurement will pick this
15 long interval up until you send the ASR.

16 (Pause.)

17 MS. CARPINO: Off the record for a
18 moment.

19 (Brief recess.)

20 MS. CARPINO: Let's go back on the
21 record. Ms. Kinard?

22 Q. I'm thinking maybe it would be clearer if we
23 started with the process and at each stage we do
24 measured/unmeasured for the hypothetical order.

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1 require T3 construction performance will be captured
2 in the greater-than-192 category, which is a
3 negotiated standard, not ten days.

4 MS. CARPINO: And when did you begin
5 measuring this?

6 WITNESS CANNY: This one is one that we
7 have not begun measuring. This is one that's an
8 August delivery.

9 Q. And even for the negotiated -- we can
10 negotiate when you send the ASR or we negotiate the
11 due date?

12 A. [CANNY] It doesn't have a standard for when
13 the response is due. It just says each one is on an
14 individual basis. The ten business days is for less
15 than 192.

16 Q. Let's take a hypothetical that this was less
17 than 192. So the response is, such as this one,
18 that the facilities won't be --

19 A. [CANNY] It also says if the T3 facility was
20 not there, that counts in the greater-than-192 area
21 as well.

22 Q. Then the hypothetical, there's no T3,
23 either. But if there was a situation where the
24 facilities weren't ready for the inbound trunk and

1 Let's say this is a forecasted order, and if it's --

2 MS. CARPINO: Do you want to submit it
3 on a certain date? Do you want to throw in some
4 arbitrary or hypothetical dates?

5 MR. McDONALD: Maybe I can try to run
6 through a chronology and Ms. Kinard can ask about
7 what specific metrics may or may not exist during
8 the course of that chronology.

9 MS. CARPINO: Okay.

10 CROSS-EXAMINATION

11 BY MR. McDONALD:

12 Q. A forecast is submitted to Verizon in early
13 January that the CLEC says what it's going to need
14 for the course of a year. In August it places -- or
15 it submits a TGSR within the bounds of that
16 forecast, and it happens to be one that's large
17 enough to where it would be identified as a Category
18 3 or a project. That would mean that it would be
19 more than the 192 trunks forecasted. Is that how it
20 winds up getting put in the project category?

21 A. [CANNY] A project can be less than 192. It
22 really depends on the nature of it.

23 Q. But in any event, the TGSR is submitted, and
24 it's within the bounds of what was forecasted on

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1 August 1st. The TGSR when it's submitted contains a
2 request for when the provisioning should happen? Is
3 that right?

4 A. [CANNY] I don't know what's on the TGSR
5 specifically.

6 MS. KINARD: We usually do state by when
7 we'd like all the trunks delivered.

8 WITNESS ALBERT: I don't know if there's
9 a desired due date, equivalent on or not. It's
10 basically going to be the trunk group, which would
11 include the end points, and it's going to include
12 the quantity of trunks and it's going to include the
13 point-of-interconnection type of information -- you
14 know, where the handoffs would occur.

15 Q. And once you get that, is there then some
16 process thereafter where the due date is negotiated?

17 A. [ALBERT] Yes, there are a whole series of
18 steps. Maybe I can try and describe the process a
19 little bit for you.

20 I think this OR 1-19 measurement that
21 Julie was talking about, that measures how quickly
22 we respond to the TGSR. The important thing,
23 however, is that that response could be a whole lot
24 of different things. The simplest is, the response

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1 That's because on the reciprocal trunks, we're the
2 ones that have the data, the load, the usage
3 information. The CLECs don't have that. We measure
4 it on our end of the switch. So we need to share it
5 together and we need to talk to each other and we
6 need to work with each other.

7 We're talking a little bit early about
8 utilizations and the fact of what does that mean
9 relative to relief. I can tell you what we do for
10 ourselves. If we've got a trunk group that's really
11 hot, if the loads are increasing a lot, if it's
12 really volatile, when we hit a 60 percent
13 utilization on that trunk group, we'll start to look
14 to see if we need to do something else. We'll set
15 the internal alarm off at that point. If we've got
16 a more business-as-usual, garden-variety growth
17 situation, we'll wait until the utilization on a
18 trunk group hits 80 percent. At that point we'll
19 then start investigating do we want to add more; if
20 so, what type of a relief do we want to provide.

21 So what you wind up with is, you know,
22 utilization is a matter of degree. But if you've
23 got under 60 percent, you've got a whole lot of
24 SLOP, to add a whole heck of a lot of load, without

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1 could be we understand, we agree with you, we think
2 more trunks are needed to that trunk group, and
3 here's your order, here's your ASR. And the reason
4 for this iteration, we're talking here about
5 reciprocal trunks, which are the ones carrying
6 traffic from Verizon customers to the CLEC. These
7 are the ones where we're on the hook and we're
8 responsible for the blocking. We get measured on
9 the blocking. We pay bucks if the blocking goes to
10 hell and if things are out of whack.

11 But a response to a TGSR from us could
12 also be, "Hey, we are looking at the loads today.
13 They're down in the dirt. They're running 10
14 percent. We don't think that you need to add trunks
15 to that trunk group." There then could ensue a
16 period of working back and forth over an amount of
17 time between us and the CLECs. We try to be
18 reasonable. We try to accommodate things. If you
19 were to tell us, "Hey, we're going to sign up AOL in
20 two months," we'd believe you, and then at that
21 point we'd start to scramble like hell. On the
22 other hand, though, if it's kind of just, "Well, I
23 think we've got to add trunks," we may say, "Let's
24 wait a while. Let's watch what the traffic does."

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1 ever having to worry about it. So that's why we use
2 that as a cutoff.

3 What can happen with some of these TGSRs
4 is one can come in the door and it can come in for
5 trunk groups that are 10, 15 percent utilized.
6 That's when we get into what's going on, what kind
7 of demand do you have, what sort of unusual things
8 are happening, and that's where we work together to
9 really try and figure out what are the trunk groups
10 we're actually going to create, what are the trunk
11 groups that are going to get added to, what are the
12 variety of different ways to skin the cat in the
13 network, to solve and to satisfy that demand. So
14 that on these reciprocals in those situations
15 there's a lot of joint planning, a lot of joint
16 engineering that can take place.

17 Based on the need, we may send ASRs to
18 you in ten days. We may say, "We don't think we
19 have to send ASRs to you until a year from now." Or
20 we may say let's watch the load, and if you've got
21 something special and something extra, we'll say to
22 the CLEC, "When it hits 40 percent, we'll call you.
23 We'll talk again about it then."

24 The rest of the measurements -- Julie

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1 can jump in and correct me if I'm wrong. I'm not
2 the measurement guy. There are billions of
3 measurements that have been set up over two and a
4 half years. I can't even read them all. I don't
5 understand all of them.

6 But I think what gets measured on the
7 reciprocal is that due date that gets established
8 when we actually do send you an ASR.

9 Maybe I described that wrong. The ASR
10 starts the process off. That's our response back to
11 your TGSR. You then zap a tentative due date back
12 to us, and then we provide a firm order confirmation
13 on that ASR, which at that point locks in the due
14 date for that particular order. But there's been
15 all the joint work, all this joint planning, and all
16 this joint cooperation prior to that to decide do
17 you need to add to the trunk group, do you need to
18 add to it, how much, is it nothing or is it AOL
19 that's coming along.

20 Q. After the TGSR is submitted, you said that
21 there might be in the dialogue between Verizon and
22 the CLEC, a response from Verizon, "We don't think
23 that you need it. We'll send you an ASR a year from
24 now," something along those lines.

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1 Q. What's negotiated?

2 A. [CANNY] The standard for an inbound augment
3 request for greater than 192 or if there are no
4 facilities or any of those other categories is
5 negotiated. We simply report the data. We report
6 when we send it. And that's established in the
7 guidelines.

8 CROSS-EXAMINATION

9 BY MS. KINARD:

10 Q. For this metric, it sounds like we'd
11 negotiate when you send the ASR? Or it just
12 wouldn't be in this metric at all because we don't
13 negotiate anything but the due date in this case?

14 A. [CANNY] It simply states it's a negotiated
15 process. In other words, there is no set standard
16 for a response on that.

17 Q. So there's no measurement of even whether
18 the negotiated due date for response, for sending
19 the ASR, is made?

20 A. [CANNY] We simply report when we send it.

21 Q. You report when you send it in this metric
22 or you report when you send it in, send it as the
23 start time for missed-appointment metric?

24 A. [CANNY] For a request for an inbound

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1 A. [ALBERT] I threw that out as a
2 hypothetical.

3 Q. I know you used it just as an example. But
4 the idea is that there is some communication between
5 Verizon and the CLEC after the TGSR is submitted and
6 before the ASR is sent back to the CLEC, where
7 Verizon could say, "We're not going to be sending
8 you the ASR within 10 days or within 20 days." Is
9 that right?

10 A. [ALBERT] If I'm understanding the OR 1-19
11 measurement correctly, we're on the hook to
12 communicate back to you within ten days.

13 Q. Is that only with respect to Category 1?

14 A. [CANNY] Yes. It's for less than 192
15 augments that are forecast that it's ten days, and
16 others it could be a longer period. We will either
17 provide an ASR or a negative response requesting
18 additional data if we believe the traffic does not
19 support the request.

20 Q. And if it is a Category 3, a project, and a
21 TGSR is submitted, is there any metric that measures
22 when the ASR is submitted in response to the TGSR?

23 A. [CANNY] It simply says that it's negotiated
24 when that goes back, for an augment.

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1 augment trunk that is larger than 192 or a project
2 or negotiated, we would report when we send you
3 either, A, an ASR or, B, a response that we wanted
4 more data to support the TGSR.

5 CROSS-EXAMINATION

6 BY Mr. McDONALD:

7 Q. When in the process is there negotiation as
8 to when the due date is supposed to be for the
9 ordered trunks?

10 A. [ALBERT] If we send you an ASR and that
11 means we're moving forward with the provisioning,
12 we're moving forward with us as a project, at some
13 point after that we'll get together and we'll
14 jointly set the tentative batch of due dates for
15 that project. That's when we get into the
16 spreadsheets.

17 Q. Is there any negotiation that occurs prior
18 to the ASR coming back to the CLEC? For instance,
19 after a TGSR is sent to Verizon, assume further that
20 the TGSR identifies a requested due date for the
21 trunks that are being ordered. Is there any attempt
22 by Verizon to contact the CLEC to discuss whether or
23 not that negotiated due date or that request for a
24 due date can even be met?

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1 A. [ALBERT] I may not be following you.
2 You're saying like --
3 Q. If a TGSR is sent to Verizon that says, "We
4 need 150 trunks, and we'd like to have them three
5 months from tomorrow" -- I don't know whether that's
6 an appropriate range. Whatever would be an
7 appropriate range for 200 trunks. Let's assume that
8 that is actually the amount of time that is
9 requested on the TGSR, so they request that block of
10 time. Is there any negotiation, any dialogue, any
11 discussion between the CLEC and Verizon as to
12 whether or not that can be met? Or does that not
13 even occur until sometime after when the ASR is?
14 A. [ALBERT] Things are relative in the time
15 line. The establishing of the dates occurs further
16 downstream from the joint planning and joint
17 negotiation and determination of do you need to do
18 something and, if you do need to do something, what
19 is it? What I'm getting at is: Do you need to put
20 in a new trunk group that the TGSR would be
21 requesting? Do you need to add 240 trunks that the
22 TGSR is requesting? The way the work flows, we're
23 going to first work through together, you know, what
24 is it that needs to be done and what are you asking

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1 for and what are we going to do. After that, then
2 you'll start working through the cycle of, now that
3 you know you're going to do X and you're going to
4 make it this big, then we'll start working through
5 the cycle of what kind of provisioning time frames
6 will be involved with the project.

7 CROSS-EXAMINATION

8 BY MS. KINARD:

9 Q. But that's negotiated, and that's what goes
10 on the ASR, right, what was negotiated?

11 A. [CANNY] Similar to a request for a CLEC
12 trunk, the intervals follow the same breakout. The
13 18-day interval for less than 192 forecasted, it's
14 30 days if it's 193 to 384. If it's a project or
15 complex, it's negotiated just like the others.
16 That's assuming we send the ASR. It follows the
17 same kind of process. That would be our interval.
18 You could in fact, because we actually are
19 requesting these of you, make it a different
20 interval, but assuming that you put it on your
21 original request, you probably wouldn't.

22 If it's nonforecasted and facilities are
23 available, it's the 45 days. And if there are no
24 facilities, we treat it as a six-month forecast.

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1 which could be up to 198. We follow the same
2 principles once we generate the ASR.

3 MR. ROWE: Hold on a minute.

4 (Pause.)

5 Q. Still our question is: If it's a project
6 and we negotiate a due date, we negotiate that due
7 date before you send the ASR. I mean, it's not a
8 surprise to us when you send the ASR with that due
9 date.

10 A. [ALBERT] Generally yes.

11 Q. Generally yes, we do it before?

12 A. [ALBERT] Generally you're correct. Nothing
13 is ever 100 percent. But in upfront project
14 meetings there will be initial work done on
15 tentative due dates, before you then get into the
16 ASR process.

17 Q. So projects are picked up under --
18 reciprocal-trunk projects are picked up under missed
19 appointments, I believe, from Julie's testimony?

20 A. [CANNY] Yes.

21 Q. And you would measure according to the due
22 date on that ASR.

23 A. [CANNY] That's correct.

24 Q. And you were saying before, if you supp.ed

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1 the due date, it's your request, since it's your
2 ASR, to push the date out, then the first due date
3 missed is the missed appointment, even if you supp.
4 it?

5 A. [CANNY] No, I corrected that in my
6 testimony, that if we request a due-date change, the
7 new date is what's measured, not the supp. If it's
8 a CLEC-requested trunk group and it's a customer not
9 ready, that's one thing; but if it's our requested
10 date and we request a supp. date, then we measure
11 the new due date.

12 Q. So we can negotiate a due date, and you can
13 keep pushing it out with your supps., and it's just
14 the last date on the supp. you'd have that it's
15 measured to.

16 A. [CANNY] Yes.

17 Q. So those due dates that we get on the ASR
18 for reciprocal, they still can be pushed out by you,
19 even though they're negotiated.

20 A. [CANNY] And the same thing would apply if
21 you pushed out dates on your trunks.

22 A. [ALBERT] I mean, the supps. in ours aren't
23 bad things. I don't know if we're trying to act
24 like they're bad. The carrier who initiates the

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1 order -- the trunks carrying traffic from CLECs to
2 us, if you guys CNR those or if you supp. those,
3 that's not bad. All that means is -- because trunks
4 are usually not immediately time-sensitive. You'll
5 get the occasional something whacky is going on in
6 the network, blocking's occurring, customers are
7 going bananas and you've got to fix it right away.
8 But that is the rare, rare, rare exception.

9 Because these aren't time-sensitive, the
10 fact that the carrier that's requested the stuff
11 says either that they want to change the due date or
12 that they're not ready, well, there's nothing wrong
13 with that. So when we look at a trunk that a
14 carrier has ordered, if we're ready to do it and we
15 go back and the carrier says, "I'm not ready yet,
16 I'm going to be ready for it in two weeks," that's
17 just not a terrible thing.

18 The same thing is true for the trunk
19 orders that we, Bell Atlantic, order, that we order
20 from the CLECs. If we supp. them or if we have a
21 CNR condition, it's the reverse situation. Those
22 really aren't bad things.

23 That's why those happen as part of the
24 process, and that's why those things have always

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1 The same thing could happen.

2 Q. But these are the reciprocal trunks.

3 A. [CANNY] Right.

4 Q. But they're being pushed out, not because
5 we're not ready to receive them on December 1, which
6 is the date we want them for our very large,
7 important customer. I'm correct, in that it's
8 all -- the missed due date, you get to keep moving
9 it out until you can meet it?

10 A. [CANNY] That's correct, and if we fail and
11 it's close to the due date, we'll have blockage and
12 we'll show it there. Our motivation is not to have
13 our customers blocking. We do not want to see that
14 happen.

15 Q. Well, the metric on blocking, there's no
16 remedy until you're blocking for three months
17 straight on the same trunk groups, so I don't think
18 our very large customer would be happy with that.
19 Isn't that true, that you don't have to pay anything
20 for blocking until it's blocking for three months on
21 the same trunk groups?

22 MR. ROWE: We don't have the measures
23 established yesterday, I think, as part of the PAP
24 proposal in terms of payment.

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1 happened with trunk provisioning that we've done
2 with carriers. The person who's asked for it, if
3 they've gotten out ahead of themselves -- if the
4 CLEC has asked for it and by the time we're there to
5 deliver it they've gotten ahead of themselves and
6 they're not ready for it, that's not bad.

7 A. [CANNY] If we fail and we have blocking,
8 then we get measured on blocking.

9 Q. But here we do have a customer, say, of the
10 caliber of AOL coming on line and we send the TGSR
11 and we say we really need all those trunks installed
12 by, you know, November 1, whatever, and we said that
13 three or four months out -- when you send the ASR,
14 and we negotiate, say, December 1 instead of
15 November 1, and we say, okay, you put that on the
16 ASR, but then you can keep pushing out that date
17 with your supps., and it could be, you know, next
18 year sometime before that order is delivered, and it
19 could be counted as on time. Isn't that right?

20 A. [ALBERT] I think the way the measurements
21 are set up, that's how they're captured. The same
22 thing could happen the other way. The same thing
23 could happen with trunks that we order from the
24 CLEC, where we've got the exact reverse situation.

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1 MS. KINARD: In New York there's a
2 remedy for three months, and you're reporting
3 according to the New York standards.

4 MR. ROWE: Ms. Canny has said it would
5 show up in blocking if we were preventing traffic
6 from getting your customer. But as to whether
7 there's a penalty measurement yet, the Department is
8 soon to decide what the penalty measurement will be.

9 A. [CANNY] We'll report one-month blockages,
10 two-month blockages, and three-month blockages.

11 MS. CARPINO: Off the record.
12 (Discussion off the record.)

13 MS. CARPINO: Back on the record.

14 Q. Going back to sending the -- the situation,
15 again, with the negotiated due date for a reciprocal
16 trunk, a trunk coming from Verizon to the CLEC. If
17 we negotiate a due date and the ASR is not sent
18 until after the negotiated due date, which we had in
19 another state with you, that the time we negotiated
20 doesn't count at all, it's still just the time on
21 your ASR that counts. So, say, if we had negotiated
22 a December 1 due date, you send the ASR December
23 5th, and you give us a January 1 due date, the
24 January 1 date is the date that gets used.

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1 A. [CANNY] I'm really confused, Karen.
2 Q. You say we negotiate the due date before the
3 ASR is sent.
4 A. [ALBERT] We'll negotiate tentative time
5 frames. It comes back to what we said earlier:
6 What pegs the due date is what we provide on the
7 firm order confirmation that we send to the CLEC. I
8 mean, either I'm confused with your example or
9 you're describing something that's impossible to
10 happen. We cannot send that firm order confirmation
11 that nails the due date unless there's been an ASR
12 done. So what you are describing as there was a due
13 date set and the ASRs didn't come until after that.
14 I think that's impossible to happen. So there's
15 something where we're missing things in your
16 hypothetical.
17 There's a lot of work in a project where
18 you have incentive dates that are set up for
19 planning purposes; those get changed and rearranged
20 by both parties over time. But as you get closer to
21 the appointed provisioning time frame, we will then
22 issue a firm order confirmation for the ASR, which
23 then locks in the due date.
24 Q. I believe this was actually testimony in the

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1 New York 271 case, where our trunking witness had
2 talked of a situation, and I want to ask you
3 questions about the definition of "negotiate." We
4 thought we had agreement that you would send the ASR
5 with a certain due date, but then the ASR was not
6 sent until after that due date. So you're saying
7 the negotiated --
8 MS. CARPINO: This is the understanding
9 you have with Verizon in Massachusetts as well?
10 MS. KINARD: I don't have an example for
11 Massachusetts, but I'm just asking how this would be
12 measured but --
13 MS. CARPINO: Is the practice the same?
14 That's what I'm trying to find out.
15 MS. KINARD: I'm trying to get to the
16 point that he was saying this could never happen,
17 and I want to find out if this situation where a due
18 date is negotiated -- we think that's what's going
19 to appear on the ASR, but we do not receive the ASR
20 until after that date. We think that's going to
21 be --
22 MR. ROWE: I'm not sure the practice in
23 New York has been properly described, and I'm not
24 sure the hypothetical has any foundation in reality.

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1 and the witness has already said it doesn't happen
2 that way. So I think we're plowing the same ground
3 over and over again. If Your Honor wants to let Mr.
4 Albert try again, you're welcome to it.
5 MS. CARPINO: Why don't we give it one
6 more shot, and then we'll move along. Mr. McDonald?
7 CROSS-EXAMINATION
8 BY MR. McDONALD:
9 Q. A TGSR is sent, and after that there begins
10 a dialogue between Verizon and the CLEC that
11 includes a discussion of when the CLEC would want
12 the trunks provisioned. Is that right?
13 A. [ALBERT] Eventually. Let me try and fill
14 in the blanks. The way the process is going to work
15 with the TGSR, that's your request to us. You're
16 saying, "Verizon, I think you guys need to order
17 more trunks from Mr. CLEC."
18 What then happens is, first we have to
19 agree, does something need to be done? That's the
20 first step. Once we agree on that, then the next
21 thing that has to happen is an agreement or a
22 decision on what needs to be done? Are we going to
23 put in end-office trunks? Are we going to just add
24 to existing tandem trunks?

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1 Once you've decided, yes, something
2 needs to be done, here's what we're going to do,
3 then you can get into the phase of beginning to move
4 towards establishing the dates associated with what
5 you've agreed upon will be done. So you flow
6 through those different cycles or steps.
7 Q. Fair enough. And that discussion of when
8 things should occur is still a discussion that
9 occurs between Verizon and the CLEC before the ASR
10 is sent; isn't that correct?
11 A. [ALBERT] Yes.
12 Q. So in that discussion there could be a
13 negotiated agreement as to what the due date will be
14 for the provisioning of those particular trunks. Is
15 that right?
16 A. [ALBERT] Not exactly. There would be a
17 discussion and an establishment of tentative due
18 dates for the orders in that project. And what
19 happens in reality is, they change a lot over time
20 as that project is getting worked, as the project
21 managers are working together. The actual due dates
22 of those orders -- they change a lot in actual
23 practice. And they finally get fixed when you're
24 close enough in the need to do something that the

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1 ASRs are actually issued, and then the FOC is
2 developed in connection with them.
3 Q. And I think for purposes of the hypothetical
4 that Ms. Kinard was trying to articulate, that
5 during the course of this negotiation the CLEC and
6 Verizon agree that the provisioning of the trunks
7 will be on November 1st, and so that is the
8 understanding at that time as to when the
9 provisioning will be. And it is the expectation of
10 the CLEC that an ASR will be issued with November
11 1st as the date on which it is going to be
12 provisioned. Are you with me so far?
13 A. [ALBERT] Yes.
14 Q. I think the hypothetical that Ms. Kinard is
15 talking about is: If the ASR in fact isn't even
16 provided to the CLEC until sometime after November
17 1st -- November 5th, for instance -- with a due date
18 on the ASR of December 1st, is there any metric in
19 existence that captures the fact that what the CLEC
20 thought was the date on which the provisioning would
21 happen, it doesn't happen on that day?
22 A. [CANNY] There is no metric that captures --
23 A. [ALBERT] I guess it's hypothetically --
24 A. [CANNY] There is no metric that measures

1 that due date, it wouldn't have been a miss.
2 A. [CANNY] I'm not aware that we supp. things
3 the day before. That's an interesting allegation,
4 but --
5 Is it possible? Yes, it's possible.
6 MR. McDONALD: That's all we have.
7 MS. CARPINO: I have one clarifying
8 question about projects.
9 EXAMINATION
10 BY MS. CARPINO:
11 Q. Mr. Albert, you indicated that orders could
12 come in over a period of several months, and you
13 mentioned four to five months, for example, for one
14 project. Is it understood that after a project --
15 well, is it understood during a meeting between the
16 CLEC and Verizon, a project meeting, that subsequent
17 orders may come in?
18 A. [ALBERT] Yes. And projects leave and get
19 set up with different phases. If you've got
20 something really massive and complicated, you may
21 have the same project broken up into Phase 1, Phase
22 2, Phase 3. We would do that for management
23 purposes, for tracking and managing the process.
24 What we would do would be, we'd manage the

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1 that today, nor have I ever heard of such a metric
2 in the last three-plus years of discussing trunk-
3 performance metrics.
4 CROSS-EXAMINATION
5 BY MS. KINARD:
6 Q. I think, regardless of whether that scenario
7 happens or not, I want to find out -- it's my
8 understanding that when we negotiate a due date,
9 that could always be pushed out and pushed out by
10 Verizon and never be a missed due date.
11 A. [CANNY] On inbound augment trunk?
12 Q. Inbound augment trunks. So if we negotiated
13 a December 1st date, whether you sent the ASR or you
14 did not send the ASR -- say if the ASR is sent and
15 it gets to be November 1, you put in a supp., you
16 push it out another month, then that's the new due
17 date. So the negotiated due date for those large
18 orders is something that, if you're good at what you
19 do, you will never miss a due date, because you'd
20 have total control over that.
21 A. [CANNY] We have missed due dates on
22 projects, so I don't understand how -- what the
23 allegation is. (Pause.)
24 Q. But if you had supp.ed it the day before

1 completion of all the Phase 1 orders of the project
2 first, get that done, and then you'd have sliding in
3 in some overlapping fashion work on the second
4 phase, and then the third phase.
5 Q. And is it always understood by the CLEC that
6 when you're in this phase which may become Phase 1
7 that there will be subsequent phases?
8 A. [ALBERT] Yes. That's the sort of thing, if
9 it's big enough to be busted into phases, people are
10 going to know in advance what they are, and it will
11 be understood that it's going to be treated in those
12 sections.
13 Q. And also at this initial phase, will the
14 CLEC say, "And I intend to issue subsequent orders
15 over the next few months"?
16 A. [ALBERT] You'll talk in stages of
17 increasing detail relative to what's going to happen
18 the most the soonest. You'll talk in more detail
19 about what's going to happen with the early-on work.
20 The stuff that's more at the tail end of the line
21 will be talked about much more generalistically. As
22 you continue to work it and as you continue to get
23 closer to it, more details are then developed and
24 worked and communicated back and forth as we're

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1 working with each other on it.
2 Q. Thank you. Also, do you have the comparable
3 Verizon percentage for the 38 figure for July?
4 A. [ALBERT] 70 percent.
5 MR. GRUBER: I'm sorry; what is that?
6 MS. CARPINO: The utilization rate for
7 July of 2000.
8 A. [ALBERT] Within our own network it's 70
9 percent.
10 MS. CARPINO: I don't have anything
11 else. I thank the witnesses for your time this
12 morning. Off the record.
13 (Recess taken for lunch.)
14 MS. CARPINO: Let's go back on the
15 record. We have two witnesses, one from AT&T, one
16 from WorldCom.
17 MR. GRUBER: We discussed it, that AT&T
18 would go first.
19 MS. CARPINO: Mr. Gruber, please
20 introduce your witness.
21 MR. GRUBER: This is Mr. Brian Huntley,
22 and he will explain who he is and what his job
23 responsibilities are.
24 MS. CARPINO: Before he does that,

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1 Mr. McDonald, will you introduce your witness?
2 MR. McDONALD: Ms. Karen Kinard of
3 WorldCom's national carrier planning and policy
4 group.
5 BRIAN HUNTLEY and
6 KAREN KINARD, Sworn
7 MS. CARPINO: Do you swear or affirm
8 that the testimony you're about to provide will be
9 the whole truth?
10 THE WITNESSES: I do.
11 MS. CARPINO: In addition, do you adopt
12 statements made by either yourself or another
13 representative of your company made in this
14 proceeding last fall before this Commission, adopt
15 it as the whole truth?
16 THE WITNESSES: I do.
17 MS. CARPINO: Mr. Huntley?
18 BRIAN HUNTLEY, Witness.
19 WITNESS HUNTLEY: Thank you. As stated,
20 my name is Brian Huntley, and I'm a field operations
21 director. I work physically in the operations
22 department in the field. I believe Mr. Albert
23 referenced Pam Cunningham as the director of field
24 operations for switching, and that's my comparable

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1 role at AT&T.
2 I think one of the advantages of the
3 particular role that I fulfill is seeing the daily
4 struggles that go on relative to trunk installations
5 and provisioning, day in and day out. Mr. Albert
6 also referenced stepping back and taking a look at
7 the big picture. I applaud that and would like to
8 try to take that same approach.
9 I was not the one that gave the
10 testimony in the fall, but certainly I do adopt it.
11 Having read all of the materials in the hearing
12 previous from that time until now, I honestly had to
13 kind of scratch my head and take a look at what was
14 being stated in the document. It appeared to me, as
15 is really included throughout, that we're about 180
16 degrees apart on how things are measured, how data
17 is collected, or how data is analyzed, and therefore
18 the conclusions that the data offers.
19 So what I tried to do was to take a look
20 at this information as best I could, and then having
21 that mental disconnect with the physical world that
22 I operate in, I tried to dissect a little bit where
23 we're coming from relative to Verizon's data and the
24 data that we put forth in the record as well. Being

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1 at loggerheads had me puzzled. I honestly had
2 trouble understanding, for example, some reference
3 in the documents to being 100 percent or 99 percent
4 on-time performance. That is probably the single
5 largest disconnect, in my mind, on a day-to-day
6 basis.
7 It should be noted that in my direct
8 organization I have two people who on a full-time
9 basis are involved in the escalation and the
10 tracking and the management of orders that are
11 directed to Verizon.
12 MS. CARPINO: Verizon as a whole or
13 Verizon - Massachusetts?
14 WITNESS HUNTLEY: Verizon -
15 Massachusetts. My role and responsibilities only
16 deal with Massachusetts.
17 So I'm sitting there saying, I have two
18 people dedicated to this escalation activity, and
19 I'm trying to understand how, if we're in a field of
20 dreams, how it is that I don't feel the same way.
21 So when it comes to digging into the
22 information and trying to really paint a picture, I
23 tried to think of how I could do that for the
24 Commission. I guess I'm describing this as

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1 something like record versus reality, is the only
2 way that I can understand this myself.
3 On trunking orders, where AT&T places
4 the order to Verizon -- so we refer to these
5 internally as CLEC 2 type of orders. So AT&T is
6 placing the order. As stated by Mr. Albert, we
7 would send an ASR over to Verizon. What I would
8 like to try to do, this picture that I've
9 referenced, is to take a Category 1 example, an
10 order in which it is forecasted, it's nonproject,
11 and therefore Category 1.

12 MR. GRUBER: Let me interrupt you just a
13 minute, Mr. Huntley. I think for the benefit of the
14 Commission what we'll do is go ahead and mark this,
15 call it an exhibit or a chalk, but that provides us
16 with a single point of reference for Mr. Huntley's
17 discussions.

18 MS. CARPINO: We'll mark it as an
19 exhibit. During the break I'll figure out what
20 number we're up to. It's either 13 or 14, I
21 believe.

22 (Exhibit 13 marked for identification.)

23 MR. GRUBER: Before we get started, I
24 thought for ease of reference it might be helpful

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1 Verizon would determine the category.
2 So we would issue that order for the
3 purposes of this example -- we are assuming this is
4 a Category 1 order. The order goes along, and we
5 are expecting a FOC, or a firm order confirmation,
6 on day 10. Day 10, my organization, Mr. Bolster,
7 sitting behind me, should have a firm order
8 commitment in his hands describing what the due date
9 is, the committed due date that Verizon has
10 committed to.

11 Invariably that will not be the case --
12 again, in the real world -- and Mr. Bolster and
13 another person will begin an escalation procedure to
14 Verizon. For the purposes of this example, I've
15 said that at around day 13, or on day 13, during day
16 10 to 13 there was an escalation process, and
17 Verizon would issue their order, and they would
18 carry a standard interval on their order, which if
19 we assume Category 1, would put it out to
20 approximately the 23rd day, out to Exhibit E, Letter
21 E on the exhibit.

22 MR. GRUBER: Mr. Huntley, can you
23 explain what you mean when you say Verizon would
24 issue their order?

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1 just to add some letter designations to each point.
2 For the record, I'll read it off and everyone can
3 mark their own copy.

4 The first line on the time line is the
5 AT&T day zero; we'll call that an A. The second is
6 AT&T day 10, and we'll call that a B. The third is
7 the Verizon order issued day 13, which we'll call C.
8 AT&T day 20 we'll call D, and the Verizon due date
9 day 23 we'll call E. That's for future reference.

10 WITNESS HUNTLEY: I found it
11 interesting -- and we'll walk through this in one
12 second -- that the situation that WorldCom
13 described, though that was discussed in the opposite
14 way on the orders of which they place -- I'm sorry,
15 Verizon places to WorldCom, it seems to fit this
16 exact same model.

17 In the process of issuing an ASR, in
18 this example AT&T will issue an ASR on what we'll
19 call Letter A, or day zero. That ASR goes over to
20 Verizon, as was stated on the record earlier, and
21 Verizon will take a look at that order, as also
22 stated. It was referenced that if it's complete or
23 if there are questions, that will be dealt with
24 during that time period. It was also stated that

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1 WITNESS HUNTLEY: That's the internal
2 order that Mr. Albert referenced earlier, the
3 internal Verizon order that they would issue that
4 would generate the FOC back to us, that would
5 generate the committed due date back to us.

6 Now we get the firm order confirmation.
7 This is now between Letter C and D, between day 13
8 and day 20. We'll receive the firm order
9 confirmation, and it will be a date later than our
10 desired due date, which was day 20.

11 MR. GRUBER: In your example, would it
12 also be a date later than the interval that you
13 thought applied to this order?

14 WITNESS HUNTLEY: Not yet, no. We would
15 receive the firm order commitment prior to the
16 desired due date, probably on or about that day 13,
17 when they issued their order.

18 Now, as our due date approaches but is
19 not going to be met because the firm order
20 confirmation comes back with a date different, we
21 are forced internally to issue a supplement. Now,
22 we do this -- I say we're forced. We have to do it
23 internally or we do not have the necessary internal
24 mechanisms for our technicians to be ready to test

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1 and turn up this trunk with Verizon on their due
2 date, day 23.

3 MS. CARPINO: Before you go any further,
4 could you describe the conversations that you're
5 having with Verizon?

6 WITNESS HUNTLEY: On the escalations?

7 MS. CARPINO: I don't know if I would
8 call it an escalation, but just the conversations
9 that you have throughout the whole process with
10 Verizon.

11 WITNESS HUNTLEY: If this is a Category
12 1, there wouldn't be any preliminary dialogue
13 because we're not negotiating a project or whatever.
14 So we would issue an ASR for the augment or whatever
15 it is, under 192 trunks. So we would not have any
16 dialogue because we're giving Bell Atlantic,
17 Verizon, the ten days to commit to that -- to
18 deliver that FOC. So on day 10 now it would start
19 dialogue because we'd be expecting it on that day.
20 When it doesn't arrive, Bill and his team would now
21 begin a phone-call process to Verizon and say,
22 "Order No. Such-and-such, where is the firm order
23 commitment," et cetera. They'll look it up. There
24 may have been a question, there may not have been a

1 he certainly lives and dies on each individual trunk
2 order's ability -- Verizon's ability to make that
3 day. So it is a computerized date that we do have
4 on every single order.

5 I was, I believe, at the point of a
6 supplement being issued. We now issue a supplement
7 to our system on or about -- well, whenever the FOC
8 is returned, likely before day 20, and we will match
9 the due date on the order to Verizon, in this
10 example day 23. So now we've issued a supplement,
11 and the date has been changed to match their date.

12 It's my contention, based on this
13 diagram and based on what I've researched in the
14 field, that this explains the reason why Verizon
15 chose 100 percent on time, or 99 percent on time, as
16 the case may be, measuring their own internal
17 interval. They're measuring their interval when
18 they issue their order, and they are measuring their
19 ability to make the committed date that they commit
20 to on that firm order commitment, which they should
21 always make. That's an interval that they control.
22 They control when the order's issued.

23 So I submit this document, and I guess
24 the conclusion to me is, throughout the material

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1 question. We're not 100 percent clean. There are
2 occasions when we have some information that needs
3 to be clarified. But quite frequently we end up
4 with a situation where it's not always clear what
5 the reason was but the order gets issued and a firm
6 order delivered back to us some number of days, two,
7 three days later.

8 MS. CARPINO: I believe in a response to
9 a record request made last fall Verizon indicated
10 that it doesn't keep track of when it receives FOCs?

11 MR. ROWE: Verizon or AT&T?

12 MS. CARPINO: I'm sorry, AT&T.

13 WITNESS HUNTLEY: Let me clarify. What
14 the meaning of that is: We do not have a summary
15 report. There was some dialogue just a while ago
16 about Verizon having a WFA computerized system that
17 would track intervals. We don't have a summary
18 report, but we have an equivalent system that tracks
19 the critical dates of an order. That's what
20 Mr. Bolster focuses on, are these critical dates.
21 So when a firm-order-commitment date comes, for the
22 intent of what's in the record, there's no
23 mechanized report that Bill can go back and say how
24 many met and didn't meet that particular day. But

1 that I've read there's been great dialogue about
2 tremendous numbers of supps. and there's dialogue
3 about 99 percent, 100 percent on time. This is just
4 a disconnect with me in the field with what we do
5 day to day. I believe this is just one example or
6 scenario that is reflective of what goes on in the
7 field that causes our data and Verizon's data not to
8 match.

9 A couple of other comments or points I'd
10 like to make. In the August 4th testimony, Page 15,
11 Paragraph 36, in this section Verizon makes
12 reference to how we count orders, and there's some
13 inference made that maybe we don't know exactly how
14 to count orders. Verizon says that we submitted
15 during that time period, March through June, we
16 submitted only 19 orders where AT&T says we
17 submitted 422. Another disconnect as to how this
18 could be. I listened with interest this morning
19 when Mr. Albert indicated that Verizon counts DSIs
20 as an order and we count trunks. A DSI is a
21 1.5-megabit circuit that contains 24 trunks. So if
22 this were the case and we counted DSIs, we'd have
23 one and Bell Atlantic would have 24, Verizon would
24 have 24. Yet I look at this section that I

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1 referenced and I see that Verizon says it's only 19
2 and AT&T's is 95 percent higher. So I take that one
3 step further and say how could that possibly be,
4 because if that's true, the DSL versus trunk-
5 counting scheme, they should be much higher?

6 Then we start to get -- or reflect on
7 the dialogue this morning. In our 422 we are
8 including an order an order. By that, this is not
9 discounting orders that have no facilities. This is
10 not discounting customer-not-readys. This is not
11 discounting nonforecasted orders. It's not
12 discounting project orders. Verizon indicated that
13 they do include in their 19 orders that they place
14 to us as well.

15 So I guess what my point here is, I
16 don't fully understand how the number counting is
17 such a tremendous, dramatic variance between our
18 counting and Verizon's counting. And I also can't
19 understand -- when you start peeling away 95 percent
20 of the orders and then referencing back to the
21 exhibit that I handed out, I think it kind of ties
22 into the WorldCom discussion of just before lunch,
23 that it would be hard not to be 99 or 100 percent on
24 time if you're only measuring a tremendous subset of

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1 A. That can happen. We have situations where
2 something that started as a project that through the
3 order life cycle there would be other orders that we
4 would have issued, and rightfully so, should be part
5 of the project, then that project, if you will, is
6 completed, and we would issue orders at some later
7 date to augment those same trunks. We would not
8 expect those to be considered an order, yet they
9 would be considered an order.

10 MS. CARPINO: You mean a project?

11 WITNESS HUNTLEY: I'm sorry, a project.

12 A. We would not consider them to be a project,
13 but they would be, if you will, made a project
14 without us knowing it.

15 Q. And you heard Mr. Albert testify that there
16 was a lot of discussion and communication between
17 Bell Atlantic and AT&T with respect to these
18 projects. Do you have a view of that?

19 A. Well, I would say at the local operations
20 level, between Bill, myself, and another person in
21 that group, that dialogue does not occur. Now,
22 there is a different -- there are multiple ways
23 projects can be ordered and handled; but at the
24 field-operations level, where we would expect to

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1 the total customer-order volume, with the ability to
2 migrate the beginning date of the order trail, the
3 order process, by internal means only.

4 The one final comment that I'd like to
5 make: I made note this morning about a comment Mr.
6 Albert made about the desired due date is not the
7 due date. I hope that reference was not including
8 Category 1s, that are not negotiated, because that's
9 the standard date trail, the standard interval, in
10 which case the desired due date should be -- it's
11 within the, I put 20 days, because that is what we
12 operate on, even though we know Verizon will operate
13 on an 18-business-day due date. But if the desired
14 due date is not utilized in a Category 1, then that
15 could add to the disconnect as well, in terms of
16 numbers and measuring.

17 DIRECT EXAMINATION

18 BY MR. GRUBER:

19 Q. Mr. Huntley, you mentioned the disconnect
20 between the 422 count of AT&T on orders and the 19
21 of Bell Atlantic. Could some of the difference be
22 accounted for by the fact that Bell Atlantic puts
23 trunk orders together and calls them projects? Is
24 that one possible explanation?

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1 have involvement, there's no project discussions, or
2 very few.

3 Can I add one other thing? We recently
4 installed a brand-new switch into the South Boston
5 location, and that magnitude of that project was
6 discussed. So there's precedents that certainly
7 some projects are discussed, but a lot that are
8 considered projects are not locally.

9 Q. And is it true that you do not always know
10 when Bell Atlantic is going to classify an order as
11 part of a project or not?

12 A. That is true. Based on the categories that
13 are in here, 1 through 6, and the fact that Verizon
14 would set those categories after the ASR is issued
15 to them, we would not know until we received the
16 firm order commitment whether we were dealing with a
17 Category 1 through 6 in all cases. We would believe
18 we know, but that's our opinion and not confirmed on
19 the firm order commitment.

20 Q. Mr. Huntley, finally, I wanted to ask you:
21 In a response to an information request Bell
22 Atlantic gave its side of the story on the ordering
23 of trunks with respect to the South Boston switch.

24 MS. CARPINO: Mr. Gruber, could you

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1 provide us with a number?
2 MR. GRUBER: Yes. That's DTE-6-1.
3 Q. Directing your attention to the point where
4 it states that the forecast documentation for AT&T's
5 forecast was incomplete because it was lacking, and
6 I quote, "the critical point of interconnection,"
7 information necessary to first identify the specific
8 locations." It goes on. Can you explain to the
9 Commission what this information is and whether it's
10 necessary for utilizing a forecast?
11 A. Yes. The point of information, POI,
12 terminating information, that's requested, would
13 deal with the physical or electrical handoffs on our
14 end or the meet point of where a particular trunk
15 group is going to meet Verizon. So it is in fact
16 important information at the point of connecting,
17 but from the standpoint of a forecast, that
18 information at the time that it's looked for,
19 potentially eight months or ten months before the
20 time that it would be utilized, it is, I would
21 argue, not critical. It is important at the time of
22 installation, but it's not critical in a forecast.
23 in my opinion.
24 Q. In light of the Bell Atlantic policy that

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1 the point of interconnections that you identify are
2 not reserved in any way for you, does that indicate
3 to you that it's not necessary?
4 A. Well, that would --
5 Q. Not necessary at the forecast level?
6 A. I think that would strength then the point
7 that I was saying about at the forecasting, time you
8 forecast, that information does not mean anything,
9 and if you did forecast it, there's no assurance, or
10 there are stated no reservations, so there would be
11 even more of an argument that it's not a requirement
12 or not a critical matter at the time of the
13 forecast. If it's not reserved, why do I need to
14 forecast the exact termination location?
15 MR. GRUBER: Thank you.
16 CROSS-EXAMINATION
17 BY MS. REED:
18 Q. Mr. Huntley, I'm Karlen Reed, of the
19 Attorney General's office. I had a question about
20 the diagram you handed out just a few moments ago.
21 You have intervals stated in terms of days. Are
22 those calendar days, or are they business days?
23 A. Business days.
24 Q. So those intervals are business days, as

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1 Verizon's intervals are business days.
2 A. True. These would be the dates that we
3 would both operate off of, business days.
4 MS. REED: I have no further questions.
5 MS. CARPINO: Verizon, any questions?
6 MR. ROWE: No. We will have comments
7 from the witnesses, but we have no questions for Mr.
8 Huntley.
9 EXAMINATION
10 BY COMMISSIONER VASINGTON:
11 Q. I have one question. I apologize if you've
12 already covered it. I had to be out of the room.
13 In Verizon's August 4th filing they
14 referred to the 422 orders that AT&T cited in its
15 comments, and they said, and I'm quoting from
16 Footnote No. 5 on Page 15 of their August filing,
17 "It is possible, and perhaps probable, that AT&T is
18 including special-access services in its claims
19 here, as it did in New York, and perhaps even
20 interstate services." Are you able to confirm or
21 deny that there are special-access orders in there?
22 A. I would deny that there are special-access
23 in there. Again, Mr. Bolster and my group deal only
24 with the switching piece of it, of the switching and

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1 trunking aspects. These are numbers right out of
2 our own database operating logs. So there would be
3 no special-service access circuits, no facilities
4 circuits, otherwise known as special-access, that
5 are in those numbers. Those 422 would be trunks.
6 Q. Thank you. I have no further questions.
7 EXAMINATION
8 BY MS. CARPINO:
9 Q. Mr. Huntley, last fall the AT&T witness
10 indicated that AT&T doesn't have an objection per se
11 to this aggregation of trunk orders into a project.
12 Do you share that view as well?
13 A. Yes, I would share that view. I think in
14 the context of the example or situation I mentioned
15 a few minutes ago, relative to, you know, if there's
16 a project that's now completed, I would like not to
17 see an augment sometime later after that project is
18 closed not be considered a project. But I honestly
19 don't see that at this point as a huge issue. But
20 that is something that still does occur from time to
21 time. But I would corroborate what that information
22 says from Mr. Moore.
23 MS. CARPINO: Thank you very much.
24 Ms. Kinard, do you have a statement?

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KAREN KINARD, Witness

WITNESS KINARD: I would like to say, first of all, when you hear these utilization rates, to beware of the averaging, that it's equivalent to do a statewide average for utilization for CLECs as to saying you don't need to add lanes to the Southeast Expressway during rush hour because the utilization of roads in Massachusetts for the month is 38 percent. So you have to make that difference when you're looking at these numbers.

Also, looking at the July report, there's a category there for blocking without exclusions. That means blocking without some of the exclusions Bell Atlantic's allowed to make for CLECs' fault, issues that they attribute to the CLECs. I'm going to use that for our issue of blocking. Even with our 38 percent utilization rate, we had 2.75 percent blocking on the final trunk groups into CLECs, while Bell Atlantic or Verizon had a little bit less than 1 percent. So you can have blocking with those kind of utilization levels overall.

The main part of our testimony was sponsored in reaction to Verizon's statement that a

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of metrics proceedings. A lot of even CLECs don't really realize that a lot of the ILECs never measure the reciprocal trunks, and for WorldCom that has been our biggest issue: waiting for, first of all, them to send the ASR in the first place -- and we've waited sometimes six months for that -- then, after they send the ASR, waiting for the negotiated due date to finally become firm and get the trunks delivered.

Thank you for your time.

EXAMINATION

BY MS. CARPINO:

Q. These delays that you mentioned in passing, were these instances in Massachusetts, or is this WorldCom's experience Verizon-footprintwide?

A. It's footprintwide. They have the same processes footprintwide, and the same group that told me about them handles the whole Verizon footprint.

Q. The metrics shortcomings that you mentioned, are these carrier-to-carrier guideline shortcomings, or are you perhaps disputing the way in which Verizon calculates the agreed-upon definition for that metric?

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lot of trunks were being held up because CLECs didn't have switch hooks. When we checked with our people -- we can't speak for other CLECs, but it's not our situation. We get orders held up because, in reverse, it's Verizon that doesn't have the facilities. So that's why we made the statement in these technical hearings and provided you the examples that were referred to in Verizon's testimony.

We agree that there is this nebulous area of customer-not-readys and what's classified as projects, and that's something that's sometimes our fault but it's sometimes not our fault; and sometimes things get left out of metric calculations because they have these classifications. Sometimes, as you can see with projects in our discussion before, although we use the term "negotiated," as our people tell me the negotiation is, Verizon says, "You can have it on this date." We say, "Okay." As you can see, they can keep pushing out that date and never miss it.

That's the gist of my clarification about trunks. I'm sorry the inbound-trunking issue got so confusing. But we have this problem in a lot

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A. It's probably more the shortcomings of the metrics now. I'm not saying Verizon isn't following what the rules are now with the metrics. One of the issues that I brought up, on what are you comparing parity to, is raised in the metrics proceedings. It's the Feature Group D trunks. It's also something they provide to us, and AT&T has the same incentive, to call things customer not ready or go slowly in provisioning them for competitive reasons. So that's the one area.

Something that was new to me today -- and I'm embarrassed, because I do metrics -- I thought once there was a negotiated due date and they were measuring reciprocal trunks, even if they later pushed out that due date, I always thought that that first due date was what was used for a miss. I didn't realize until the testimony today that whenever they supp. the order that was a new due date. I probably should have known that from reading the metrics, but I didn't.

MS. CARPINO: Thank you. Ms. Reed, do you have any questions?

MS. REED: Nothing. Thank you.

MS. REED: Verizon?

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1 MR. ROWE: May we take a couple of
2 moments with the witnesses?

3 MS. CARPINO: Sure.
4 (Recess taken.)

5 MS. CARPINO: Let's go back on the
6 record. Ms. Kinard, you wanted to clarify some
7 comments you made earlier?

8 MR. McDONALD: Supplement.

9 MS. KINARD: To supplement my comments.
10 I just wanted to point to the customer impact, when
11 we're talking about the reciprocal trunks, because
12 Verizon and other ILECs always talk about these as
13 the trunks they're ordering and it's their, you
14 know, choice of when to deliver them, how they
15 manage their own network. And I wanted to talk
16 about the customer impact we alluded to when we
17 talked about having a very big ISP or a call center.

18 Sure, when there's blocking on the line,
19 it's Verizon's customers calling that ISP that
20 suffer the blocking, but those customers will first
21 blame it on that ISP or other call-center customer
22 of the CLEC. That customer will call the CLEC, the
23 large ISP customer, and blame us for not having
24 adequate capacity.

1 measures, which does include reciprocal trunks, is
2 on a trunk basis, and that's also consistent with
3 the carrier guidelines.

4 MR. GRUBER: I beg your pardon; that's
5 not what?

6 WITNESS CANNY: That's consistent with
7 the carrier guidelines.

8 Finally, with regard to trunk
9 forecasting, the detailed specifications for trunk
10 forecasting guidelines were developed in the
11 carrier-to-carrier collaborative nearly three years
12 ago, with participants from the CLECs in this room.
13 That's it.

14 MS. CARPINO: Mr. Albert?

15 WITNESS ALBERT: Let me just add a
16 little to what Julie was saying about the counting,
17 because I think Mr. Huntley must have misunderstood
18 how I was explaining what I believe to be the
19 differences in how things are counted.

20 What I was saying is, I think AT&T
21 counts a DS1 as an order. What we, Bell Atlantic,
22 count as an order is an ASR. So, for instance, I
23 think what happens is, if you were going to have an
24 ASR for 19 trunks, which would be four DS1s, I think

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1 So we try to stay in front of that, and
2 we try to, realizing the long lead times, try to
3 stay ahead of growth, so we're not waiting and
4 waiting each time we add one of these long customers
5 for the trunks. So this is definitely a customer-
6 impacting issue and a CLEC-reputation issue, even
7 though the trunks are inbound from Verizon to the
8 CLEC. It's also a competition-impacting issue.
9 They can throttle down growth by the speed at which
10 those lines are provided.

11 MS. CARPINO: Thank you. Verizon, do
12 you have any questions?

13 MR. ROWE: Ms. Canny and Mr. Albert both
14 have brief responsive comments.

15 DONALD ALBERT and
16 JULIE CANNY, Witnesses

17 WITNESS CANNY: With regard to AT&T's
18 comments, Verizon's method of measuring orders is
19 correct and consistent with the carrier guidelines
20 and the way we measure in New York. We measure
21 ASRs, and there is usually more than one trunk per
22 ASR. 422 trucks would be on 19 ASRs. That's
23 perfectly logical.

24 Second, the percent-missed-appointment

1 in AT&T's own system that would open up four orders
2 within AT&T's system and AT&T's nomenclature,
3 counting each of those DS1s. But those in turn
4 would be packaged on a single ASR that would be sent
5 to Bell Atlantic. We would count that as one order.
6 So that's how we get a situation, I believe, where
7 there is a higher order count that AT&T develops
8 based on AT&T counting number of DS1s, with AT&T
9 counting each DS1 as an order, as opposed to Bell
10 Atlantic, which is counting the ASRs as an order.

11 Next, let me say a few comments about,
12 I'm not sure if it was an exhibit number --

13 MS. CARPINO: It's 13.

14 WITNESS ALBERT: I think Mr. Huntley is
15 correct. We do not for project management deal with
16 his organization locally. The people that we work
17 with out of AT&T that issue the orders are located
18 in Staten Island. In turn, when we have questions
19 on orders, if we have an order that's not clean, if
20 there's a problem with the order, we have to go back
21 to it and change it. That work occurs between Pam
22 Cunningham's people and these AT&T groups in Staten
23 Island.

24 The project manager that we work with,

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1 our project manager is in Pam Cunningham's
2 organization. The AT&T project manager I don't
3 think is in Mr. Huntley's group. Again, it's a
4 person in stat ten island in the AT&T carrier-
5 services organization. That's the project manager
6 that's working with our project manager as we're
7 dealing with projects.

8 Now, as we look at Exhibit 13, this
9 isn't the way it works. Let me say at the
10 beginning, at what was labeled as Point A, the order
11 issues.

12 MS. CARPINO: And this, again, is for a
13 Category 1 order?

14 WITNESS ALBERT: That's correct, just to
15 keep it simple.

16 First we'd have to say, at the beginning
17 point, when our clock starts ticking, is when we've
18 got a clean ASR. So if at Point A here, at zero, if
19 we've got a clean ASR, that's when the clock starts.
20 However, if the order that has come to us from the
21 people, AT&T people, in Staten Island, if that still
22 bounces around for three or four days, or however
23 long, for it to have corrections made, our clock
24 does not start ticking with day zero until that

1 WITNESS ALBERT: It begins when we have
2 a good clean order.

3 MR. ROWE: That would be Point A or A
4 prime if it had to be changed several times.

5 WITNESS ALBERT: Correct.

6 MR. ROWE: You don't begin at Point C.

7 WITNESS ALBERT: Correct, as far as the
8 counting.

9 MR. ROWE: And Ms. Canny, is that how
10 it's measured under C2C?

11 WITNESS CANNY: Yes, that's consistent
12 with C2C.

13 MR. ROWE: Please continue, Mr. Albert.

14 WITNESS ALBERT: I think Mr. Huntley
15 made a comment that related back to the South Boston
16 project, and to the point that we had made that in
17 the forecast we need to have the point-of-
18 interconnection information. Mr. Huntley was saying
19 in his opinion he didn't think it was that critical
20 to have it ahead of time. I think what Mr. Huntley
21 was describing was CFA information, as opposed to
22 what we need on the forecast, which is point-of-
23 interconnection information. Let me explain the
24 difference.

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1 order is good, until that order is clean.

2 The next point, FOC expected day 10 from
3 the issuance of clean order, that is our standard
4 that we have to meet for getting the firm order
5 confirmation back. As part of that firm order
6 confirmation, we are providing the due date. As
7 part of a Category 1 order, the due date that we
8 provide with that FOC would be out at day 18. Our
9 18-day Category 1 interval, starting with the
10 receipt of that clean order, having that interim
11 milestone of the FOC at day 10, then has a due date
12 at day 18. That's the approach, and that's the
13 structure, that's the time line, that's the
14 commitments for how Category 1 orders work.

15 So I guess I just don't quite understand
16 the rest of the material that's printed on here,
17 because that's not the way the Category 1 orders
18 work. It's the 18-day interval, beginning with when
19 we get the clean ASR, and the FOC falls out at day
20 10.

21 MR. ROWE: You begin, Mr. Albert, at
22 Point A or A prime if there have been changes to the
23 order, but that's the date on which the interval
24 begins for Bell Atlantic measurement?

1 The point of interconnection basically
2 says what building, what town are we going to
3 physically have our interoffice facilities meet the
4 CLEC's facilities. The point of interconnection
5 says it's the collocation cage in Cambridge or it's
6 the collocation cage in Boston.

7 What we use that point-of-
8 interconnection information for is to then do the
9 planning that we need to do of the interoffice
10 facilities -- you know, what building do we need to
11 take them to to connect, to meet up with the CLEC.
12 And when we're using the forecast and when we're in
13 the planning stages, it's important for us to know
14 for building of our IOF if we're going to meet them
15 at the access tandem in Brockton or if we're going
16 to go and meet them at the access tandem in
17 Lawrence. That POI information, that CO location
18 information is what's important.

19 I think probably what Mr. Huntley was
20 describing, CFA gets down more to what pair of wires
21 are you going to use when you're already in this
22 building. He's correct: The exact pair of wires at
23 the very head-end stage is not needed. It is needed
24 when you get into the actual provisioning sequence

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1 of things.

2 Let me just make a couple of comments
3 relative to Ms. Kinard. I think she started saying
4 to be careful of utilizations that are averages. I
5 guess that's right, because averages are averages.
6 Let me give the utilizations that specifically apply
7 to the trunk groups that relate to the four projects
8 that we're working with MCI. So these are the exact
9 utilizations for the access tandems, for the trunk
10 groups that relief would provide here.

11 For the Boston 531 project the actual
12 utilization there is 10 percent. For the Cambridge
13 309 project our actual utilization is 1 percent.
14 For the Cambridge 316 project our actual utilization
15 is 1 percent. And for the Cambridge 416 project
16 there are three subpieces. We've got a utilization
17 of 1 percent, utilization of 1 percent on a second
18 trunk group, and a utilization of 15 percent on a
19 third trunk group. So those are the specific
20 existing July utilizations for the dedicated final
21 trunk groups that these four projects are intended
22 to provide additional relief for.

23 I guess the last statement Ms. Kinard
24 made, I guess I just disagree with it. She was

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1 our end users calling us to report the troubles.

2 MS. CARPINO: Thank you.

3 MR. ROWE: I have one further for Ms.
4 Canny, just to tie the two together. Ms. Canny, you
5 said that the forecasting requirements for CLECs
6 have been part of the C2C process for the past three
7 years?

8 WITNESS CANNY: Yes.

9 MR. ROWE: Do those forecast
10 requirements require the point-of-interconnection
11 identification that Mr. Albert referred to?

12 WITNESS CANNY: Yes, it's a specified
13 field and a required field.

14 MR. ROWE: Thank you.

15 MS. CARPINO: Is there any redirect?

16 MR. GRUBER: Yes. I think Mr. Huntley
17 had a couple of responses to what Mr. Albert just
18 said.

19 BRIAN HUNTLEY, Witness

20 WITNESS HUNTLEY: I'll take these in
21 reverse. With regard to the latter comment that Mr.
22 Albert just made, directed to WorldCom: Just for
23 the record, I would say that AT&T's experience
24 supports Ms. Kinard's views on the issues that she

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1 saying that if an end user can't get through, gets a
2 call blocked, trying to call an ISP, she was saying
3 those end users will complain to the ISPs. My
4 experience is -- and I've had a lot of calls for
5 blocking -- is when our customers can't get through
6 they call us. Now, occasionally somebody may know
7 the ISP they're using, and they may know what CLEC
8 happens to provide service to that ISP, and they may
9 call the CLEC, they may call the ISP. But for the
10 most part, when somebody originates a call, they
11 don't know who it's going to. They don't know whose
12 carrier terminates the call. And when a Bell
13 Atlantic end user picks up a call and can't get
14 through, our phones are ringing off the hook for the
15 complaints and for the trouble reports relative to
16 the blocking that's occurring.

17 So when we talk about the end-user
18 customer effect when there are problems and who is
19 getting the complaints and who has to deal with
20 those, I guess it's true that you probably have a
21 smattering of calls that could go just about
22 anywhere of the report process; but from my
23 experience the vast, vast majority of those calls
24 for reciprocal trunks, they land on our doorstep.

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1 raised and that Mr. Albert directed against.

2 The other thing --

3 MS. CARPINO: Just so our transcript is
4 a little clearer, could you give a little more
5 elaboration on that?

6 WITNESS HUNTLEY: The point that Ms.
7 Kinard made about blocking, that blocking-related
8 experience that she described, we support that.

9 The other two comments that I would make
10 are: The 422 orders described, that I had covered
11 and that Mr. Albert had questioned, those are not
12 422 trunks. Those are 422 DSIs. So I would dispute
13 the counting, again, the other way.

14 MS. CARPINO: Do you know how many ASRs
15 are involved with those 422?

16 WITNESS HUNTLEY: We have no idea how
17 many ASRs Verizon would turn the DSIs into. We
18 would have no idea.

19 That ties into my final comment, which
20 is: Back to Exhibit 13 and the diagram, there was
21 comment made to say that it wasn't accurate or
22 doesn't reflect the design. It does reflect
23 reality. And by Verizon's own admission, the clock
24 doesn't really start until they issue a clean order.

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1 Given that they control the determination when a
2 clean order has arrived, there is no way of us
3 having any clue as to when the clock actually
4 starts. So back to Exhibit 13: In this example,
5 the clock hasn't started until day 13. Now, was
6 that because of legitimate reasons that AT&T did not
7 provide something on the order, or was that for
8 internal Verizon reasons that caused that order not
9 to be started until day 13 or any other day?

10 MR. GRUBER: Mr. Huntley, do you have a
11 proposal about what we could do to resolve the
12 disagreement that you're having with Mr. Albert on
13 this?

14 WITNESS HUNTLEY: Indeed. I would
15 propose to the Commission and to Verizon that we
16 reconcile these orders, let us take 422 orders, let
17 us do it next week, and let us sit down and go over
18 those with Verizon's records and find out once and
19 for all whether it's 99 percent, 100 percent on
20 time, or whether it's the experience that we have in
21 the field.

22 MS. CARPINO: Not to fixate upon the
23 422, but I'm going to attribute this to being a
24 Friday before a long weekend: It's not clear to me

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1 want to make sure those trunks are there, that we
2 are way ahead of what we usually would order. But
3 I'd have to go check that for those. But my example
4 that I was using was for the 38 percent for the
5 whole industry and the blocking for the whole
6 industry example.

7 The other issue was about who the
8 customer would call if they couldn't reach big ISP
9 A. I would think if a customer could call pretty
10 much everybody else but that one big ISP, and since
11 some ISPs have been in the press for not having
12 adequate capacity or whatever, they would go to that
13 ISP first. Granted, I'm sure people would call
14 Verizon, some people would call the FCC or your
15 commission. But I was just trying to make a point
16 that often our customer gets harmed, so they start
17 yelling at us because their customers can't get
18 through.

19 MS. CARPINO: Thank you.

20 MR. ROWE: We have nothing further.

21 MS. CARPINO: I think we're finished
22 with trunking. Thank you all.

23 Shall we go straight ahead with metrics?

24 MR. ROWE: We don't need to take a

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1 why you wouldn't know how many ASRs you submitted
2 with respect to those 422.

3 WITNESS HUNTLEY: We would issue 422
4 orders. These are over what is a two- or three-
5 month time period.

6 MS. CARPINO: So 422 ASRs.

7 MR. GRUBER: It's a four-month time
8 period.

9 WITNESS HUNTLEY: It's 422 individual
10 ASRs comprised of a DS1 to Verizon, that somehow
11 turns into 19. That's the part I don't know: How
12 do they get from 422 to 19, and that's the proposal,
13 to reconcile it.

14 MS. CARPINO: Thank you. Ms. Kinard?

15 KAREN KINARD, Witness

16 WITNESS KINARD: Just two short issues.
17 First of all, on the averaging of utilization, I
18 just talked about the 38 percent overall and was
19 trying to draw that example. We brought up those
20 examples because of arguing whether there were
21 switch hooks or switch ports there or not, as an
22 issue. I would have to go check about that
23 utilization rate and why we were asking. It could
24 very well be because of long lead times, that we

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1 break. We need a moment to change panelists.

2 MS. CARPINO: Off the record for a
3 moment.

4 (Discussion off the record.)

5 MS. CARPINO: Back on the record. Mr.
6 Rowe, would you care to, I won't say introduce your
7 witnesses, but reintroduce?

8 MR. ROWE: Thank you. We have two
9 panelists for the module, to the extent there is a
10 module on metrics remaining. They are Ms. Julie
11 Canny and Ms. Beth Abesamis. Both have been
12 previously sworn. I don't know whether we want to
13 do that again. But they also intend to adopt Mr.
14 Garbarino's testimony from earlier stages of this
15 proceeding.

16 MS. CARPINO: Let's just go through the
17 motions, then.

18 JULIE CANNY and BETH ABESAMIS, Sworn

19 MS. CARPINO: Do you swear or affirm
20 that the testimony you're about to give will be the
21 whole truth?

22 THE WITNESSES: I do.

23 MS. CARPINO: Do you further adopt as
24 the whole truth statements Mr. Garbarino made before

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1 this Department in this proceeding last fall?

2 THE WITNESSES: I do.

3 MR. ROWE: Ms. Canny has an opening
4 statement.

5 WITNESS CANNY: The performance measures
6 filed by Verizon in Massachusetts are already far
7 more extensive than those in New York in our
8 successful 271 application. The February 2000
9 carrier-to-carrier guidelines have grown to over 630
10 performance measures for resale, unbundled network
11 elements, and interconnection services. In the June
12 performance report over 2200 individual cells were
13 populated for the CLEC aggregate Massachusetts
14 report. We have provided 13 months of data. That's
15 a lot of information. We continue to break new
16 ground with performance measures, daring to measure
17 what no one has measured before.

18 As the market evolves, so do the
19 guidelines. Since February the carrier working
20 group has continued to meet on a monthly basis to
21 address new issues. New issues include the possible
22 additions of measures contained in the FCC consent
23 decree and measures of new products and services,
24 just as DSL line-sharing, as well as the elimination

1 carrier guidelines, and ideally it takes consensus.

2 Once consensus is reached and the New York
3 commission issues an order to modify the guidelines,
4 the real work begins.

5 Metric development is the process that
6 takes words, written in the carrier guidelines, and
7 transforms them to numbers that match the definition
8 on a performance report. Data required is not
9 always captured at the level necessary for the
10 reports. Capturing new data elements may mean
11 system changes in a variety of systems, including
12 things like methods and procedures for service
13 representatives, changes in the service-order
14 processor, or even changes in the database that
15 creates the metrics themselves. It's not a simple,
16 push-the-button-and-out-it-comes process. Verizon's
17 metrics change-control process was developed as the
18 result of the New York KPMG test. The process is
19 sound. Yet, like the metrics themselves, it is
20 always under review for enhancements and
21 modifications.

22 An entire director group has been formed
23 to specifically address metric-development issues --
24 i.e., change control. To put this in perspective,

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1 of some measures that are unworkable or inconsistent
2 with current processes.

3 Regrettably, the disciplined process of
4 developing rigorous and reliable metrics is not a
5 quick one. We want to be quick, but we must be
6 right. In Record Request No. 325 we provided a list
7 of metrics for which we have not filed data in New
8 York or Massachusetts. This request lists all
9 metrics that are under development even if we
10 reported some surrogate data, such as CORBA OSS
11 response times. Most metrics that have not been
12 reported are disaggregation of metrics already
13 reported. Verizon reports the aggregated
14 performance until the disaggregation is implemented,
15 therefore covering the services.

16 Since February consensus has been
17 reached to recommend new measures and delete out-
18 of-date ones. Other measures have been
19 disaggregated further. This includes 37 new line-
20 sharing metrics.

21 There are other issues that we do not
22 have consensus, and the New York Public Service
23 Commission will work to resolve these. This is not
24 a stagnant process. It takes time to change the

1 there are four directors in Massachusetts that
2 manage installation and maintenance for the consumer
3 market for the entire state. We take this very
4 seriously. Like the metrics themselves, automation
5 is a goal. Instead of manually tracking changes,
6 Verizon has implemented, as of today, a mechanized
7 database. In either case, the changes are tracked.

8 There is also a developing experience
9 that tells us sometimes we are not measuring what we
10 want to measure or are not making valid comparisons
11 with retail data. Here, for example, we can point
12 to the use of Z-score comparisons, which tell us the
13 degree to which the results reported are likely to
14 be the same or different, not whether the
15 comparisons mean discriminatory conduct.

16 I would like to comment on interpreting
17 the modified Z score. However, statistics are but
18 one tool to evaluate performance. The modified Z
19 statistic is used to evaluate parity. However, it
20 is really just measuring the probability that
21 numbers are different. The Z score does not tell
22 you how much the performance is different. You
23 don't need statistics to do that. Once you know
24 that the numbers are statistically different, simply

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1 take a look at the actual performance and compare
2 them.

3 The Z scores become more sensitive when
4 sample size or volume rises, and also become more
5 sensitive when variation decreases. In other words,
6 if two CLECs have identical performance, the one
7 with more volume will have a higher Z score in
8 absolute value. Or if the performance stayed the
9 same from one month to another yet the variance
10 decreased, which is a good thing, the Z score would
11 actually rise.

12 There comes a point when any difference,
13 even one in the fifth decimal place, is
14 statistically significant. Yet such a difference
15 would not be perceptible.

16 Numbers may be different for a variety
17 of reasons: if data is not independent -- that is,
18 if one event isn't related to another -- the
19 assumptions about statistics become flawed.
20 Sometimes the Z statistic shows that the numbers are
21 different because they really do reflect different
22 services or we have the wrong retail analog. You
23 cannot equate statistical significance to
24 discrimination unless you are confident that you're

1 Canny. Did I hear you correctly to say that there
2 are 37 new line-sharing metrics in the works?

3 A. [CANNY] Yes. We have reached consensus on
4 what the definitions are. They have been put forth
5 from the carrier working group to the New York
6 commission, and they will issue an order on the
7 implementation of those.

8 Q. Do you know approximately when that order
9 will come out from the New York Public Service
10 Commission?

11 A. [CANNY] I would expect in October, is the
12 date I'm hoping for. Karen, you can correct me if
13 you think it's different.

14 MR. ROWE: One-to-one first.

15 MS. REED: Ms. Kinard, if you do have a
16 correction based on her statement, please feel free.

17 Q. So that would be October of this year you're
18 expecting the line-sharing metrics to come out?

19 A. [CANNY] Yes.

20 MS. KINARD: Can I just ask here:
21 You're expecting the vote in October? You're
22 expecting implementation then, too?

23 WITNESS CANNY: I'm expecting the order
24 in October.

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1 measuring the right thing and that there are not
2 underlying issues in the data. Verizon has
3 presented examples of some basic differences in
4 processes, such as greater degrees of no access in
5 some services or fewer accepted Saturday repair
6 appointments. The carrier guidelines contain an
7 appendix to deal with issues of statistics, and
8 changing the retail analog through further
9 disaggregation sometimes deals with the former.
10 Verizon is continuing to work with the carrier
11 working group to ensure that the right comparisons
12 are developed, and in some cases this is still a
13 work in progress.

14 In conclusion, Verizon's metrics are
15 accurate, replicatable measures that can be relied
16 upon by the Department. The measures are even more
17 comprehensive now than they were a year ago. Thank
18 you.

19 MS. CARPINO: Thank you. Ms. Reed, do
20 you have any questions?

21 MS. REED: I have a couple of questions.

22 CROSS-EXAMINATION

23 BY MS. REED:

24 Q. For the Attorney General's office, Ms.

1 MS. KINARD: The commission's order to
2 come out. Do you know when implementation would
3 occur?

4 WITNESS CANNY: It depends on what they
5 do with the order.

6 Q. So essentially, then, we're at the whims of
7 the New York Public Service Commission as to when
8 line-sharing will become effective in Massachusetts?
9 Is that how it works?

10 MS. CARPINO: The metrics?

11 MS. REED: The line-sharing metrics.

12 A. [CANNY] I believe that --

13 Q. Perhaps "whim" is too strong a word.

14 A. [CANNY] Any changes that come out of the
15 New York carrier guidelines are automatically
16 carried into Massachusetts.

17 Q. So if the New York Public Service Commission
18 votes these out and orders them to be implemented,
19 say, November 1st in New York, would that mean that
20 they're implemented in Massachusetts November 1st as
21 well?

22 A. [CANNY] Our goal is to implement the
23 measures in New York and Massachusetts at the same
24 time.